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PTO RECEIPT FOR FILING OF PAPERS

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► Hand Carry to Examiner H. Tran, Group Art Unit 2861

The following papers have been filed:

Petition to Withdraw Holding of Abandonment-Office Action (Notice of Allowance) Not Received

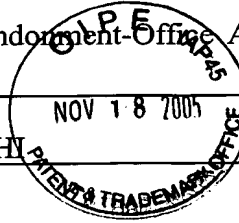
Name of Applicant: Shigeyuki HAYASHI

Serial No.: 09/820,704

Atty. File No.: 108962

Title (New Cases):

Sender's Initials: RAM/kap



P.S.
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PATENT OFFICE DATE STAMP

**COPY TO BE STAMPED BY PATENT OFFICE
AND RETURNED BY MESSENGER**



PATENT APPLICATION

**EXPEDITED PROCEDURE
TECHNOLOGY CENTER ART UNIT 2861**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Shigeyuki HAYASHI

Group Art Unit: 2861

Application No.: 09/820,704

Examiner: H. Tran

Filed: March 30, 2001

Docket No.: 108962

For: INK SHEET CARTRIDGE AND EXCHANGEABLE INK-SHEET SET MOUNTED
ON THE INK SHEET CARTRIDGE

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PETITION TO WITHDRAW HOLDING OF ABANDONMENT-OFFICE ACTION
(NOTICE OF ALLOWANCE) NOT RECEIVED

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

On July 10, 2003, Applicant's representatives received an Office Communication mailed July 1, 2003, forwarding a Notice of Abandonment for failure to pay the Issue Fee within three months of a mailing of a Notice of Allowance. The mailing did not indicate the date on which a Notice of Allowance was mailed from the U.S. Patent and Trademark Office. Thus, upon receipt of the Notice of Abandonment, Applicant's representatives did an online search and determined that the Notice of Allowance was allegedly mailed January 28, 2003. If so, the Issue Fee should have been paid on April 28, 2003.

The U.S. Patent and Trademark Office is respectfully requested to withdraw any holding of Abandonment because the January 28, 2003, Notice of Allowance was not received. A search of the file wrapper and docket records indicates that the Notice of Allowance was not received. In fact, Applicant's representatives filed a Status Inquiry Letter on May 30, 2003 to

determine the status of the Amendment and the Request for Approval of Drawing Corrections filed December 30, 2002, with a two month Extension of Time. Attached to this communication are three docket records from the law firm of Oliff & Berridge, PLC.

Appendix A is a redacted listing of all responses in our office with a due date of April 28, 2003, the date the Issue Fee was due. Had the January 28, 2003 Notice of Allowance been received, it would have been entered into the docketing record showing a base date of January 28, 2003 and a due date of April 28, 2003. The attached docket record for April 28, 2003 does not show any issue fees due for Application Serial No. 09/820,704 or with our Docket No. 108962.

Appendix B is a computerized docket sheet for the Application showing the docketed due dates for the Application. In the notes, it shows the Status Inquiry filed on May 30, 2003. It also indicates that a second status check is due for November 30, 2003.

Appendix C is a photocopy of the file jacket for the Application where docket entries are entered manually. Had the Notice of Allowance been received, the Notice of Allowance and the April 28, 2003 due date would have been entered into the computerized docket sheets and onto the file jacket.

Also attached is a copy of the date-stamped receipt for the Status Inquiry Letter filed May 30, 2003, which was filed when Applicant had not received an action based upon the December 30, 2002 filings.

In view of the foregoing, it is respectfully submitted that: 1) the January 28, 2003, Notice of Allowance was not received by Oliff & Berridge, PLC; 2) a search of the file, file jacket and docket records indicates that the Notice of Allowance was not received; and 3) the attached docket records show where the non-received Notice of Allowance would have been entered had it been received and docketed, and demonstrates that the Notice of Allowance under Attorney Docket No. 108962 dated January 28, 2003, was not received nor docketed for payment of the Issue Fee due on April 28, 2003.

As this Petition does not result from any error on the part of the undersigned, it is respectfully submitted that no Petition fee is due. However, please debit Deposit Account No. 15-0461 as needed in order to ensure revival of the Application. Please telephone the

undersigned if any questions arrive in connection with this matter. Accordingly, in accordance with the Notice 1156 OG 53 (November 16, 1993), and MPEP §711.03(c) II, it is respectfully requested that the Application be revived, and that the non-received Notice of Allowance be remailed to the attorneys of record.

Respectfully submitted,

Robert A. Miller
Registration No. 32,771

RAM:kap

Attachments:

Appendices A-C
DATE STAMPED RECEIPT *RAM*

Date: July 11, 2003

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400